

AMENDED IN SENATE JUNE 23, 2003

AMENDED IN SENATE JUNE 9, 2003

AMENDED IN ASSEMBLY APRIL 9, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

## ASSEMBLY BILL

**No. 1717**

**Introduced by Committee on Transportation (Dutra (Chair),  
Chan, Chu, Liu, Longville, Nakano, Oropeza, Parra, Pavley,  
Salinas, and Simitian)**

February 27, 2003

An act to amend Sections 8879.1, 14070.4, 14076.4, 14524.2, and 65082 of, and to repeal Sections 8879.17, ~~14051~~, and 14524.15, ~~and 14525.5~~ of, the Government Code, to amend Sections 21602, 21702, 21704, 21707, and 102015 of, and to repeal Section 21604 of, and Chapter 3.5 (commencing with Section 21501) of Division 9 of, the Public Utilities Code, and to amend Sections 72.1, 164.6, 188.5, ~~302~~, 339, 354, 373, 390, 391, 407, 410, 411, 426, 460, and 820 of, and to repeal Sections 180.10, 391.1, 391.3, 401.1, 407.1, 411.5, and 509 of, the Streets and Highways Code, relating to transportation.

### LEGISLATIVE COUNSEL'S DIGEST

AB 1717, as amended, Committee on Transportation. Transportation.

(1) Existing law creates a transportation planning and programming process for the expenditure of transportation capital funds and describes the powers and duties of the Department of Transportation and the California Transportation Commission in that regard. Existing law requires the department to submit various reports to the Legislature

regarding transportation project delivery, seismic retrofit projects, and certain other matters.

This bill would eliminate certain reporting requirements and revise other reporting requirements.

(2) Existing law authorizes the Department of Transportation, by interagency agreement, to transfer responsibility for administering an intercity rail passenger corridor funded by the department to a joint powers board, and prescribes certain requirements applicable to the Capitol Corridor in the event an interagency agreement is concluded for that corridor, including the selection of a public rail transit agency to provide all necessary administrative support staff to the joint powers board.

This bill would delete provisions governing the length of terms of the interagency agreement and would provide for 5-year renewal terms applicable to the selection of an agency by the Capitol Corridor board to provide administrative support staff.

(3) Existing law provides that the Department of Transportation shall have full possession and control of all state highways. Existing law describes the authorized routes in the state highway system and establishes a process for adoption of a traversable highway on an authorized route by the California Transportation Commission. Existing law authorizes the commission to relinquish certain state highway segments to local agencies.

This bill would revise the route descriptions for certain state highway segments that have been relinquished to local agencies.

(4) Existing law creates the Division of Aeronautics in the Department of Transportation with certain powers and duties relative to aviation. Existing law requires the division to collaborate in the development and implementation of a computerized cockpit instrument display for general aviation aircraft, and establishes a process for selecting general aviation capital improvement projects funded with state and federal funds. Existing law requires certain airport planning functions to be funded solely with federal funds.

This bill would repeal the provisions relating to implementation of the computerized cockpit instrument display and would authorize certain airport planning functions to be funded from nonfederal sources. The bill would also make revisions to the process for selecting capital projects.



(5) Existing law describes the authorized boundaries of the Sacramento Regional Transit District and cities that may be annexed to the district.

This bill would identify Citrus Heights, Elk Grove, and Rancho Cordova as additional cities that may be annexed to the district.

(6) The bill would make other conforming changes.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 8879.1 of the Government Code is  
2 amended to read:

3 8879.1. (a) The Legislature finds and declares that the  
4 completion of seismic safety retrofit work is essential to the  
5 welfare and economy of the state.

6 (b) It is the intent of the Legislature to ensure that the work be  
7 completed as quickly as possible.

8 (c) In order to avoid delays in the completion of the work, it is  
9 necessary that certain statutes that would otherwise be applicable  
10 be temporarily suspended.

11 SEC. 2. Section 8879.17 of the Government Code is repealed.

12 ~~SEC. 3. Section 14051 of the Government Code is repealed.~~

13 ~~SEC. 4.~~

14 SEC. 3. Section 14070.4 of the Government Code is amended  
15 to read:

16 14070.4. (a) An interagency transfer agreement between the  
17 department and a joint powers board, when approved by the  
18 secretary, shall do all of the following:

19 (1) Specify the date and conditions for the transfer of  
20 responsibilities and identify the annual level of funding and ensure  
21 that the level of funding is consistent with and sufficient for the  
22 planned service improvements within the corridor.

23 (2) Identify, for the initial year and subsequent years, the funds  
24 to be transferred to the board including state operating subsidies  
25 made available for intercity rail services in the corridor, and funds  
26 currently used by the department for administration and marketing  
27 of the corridor, with the amounts adjusted annually for inflation  
28 and in accordance with the business plan.



1 (3) Specify the level of service to be provided, the respective  
2 responsibilities of the board and the department, the methods that  
3 the department will use to assure the coordination of services with  
4 other rail passenger services in the state, and the methods that the  
5 department will use for the annual review of the business plan and  
6 annual proposals on funding and appropriations.

7 (4) Describe the terms for transferring to the joint exercise of  
8 powers agency car and locomotive train sets, and other equipment  
9 and property owned by the department and required for the  
10 intercity service in the corridor including, but not limited to, the  
11 number of units to be provided, liability coverage, maintenance  
12 and warranty responsibilities, and indemnification issues.

13 (5) Describe auditing responsibilities and process  
14 requirements, reimbursement and billing procedures, the  
15 responsibility for funding shortfalls, if any, during the course of  
16 each fiscal year, an operating contract oversight review process,  
17 performance standards and reporting procedures, the level of rail  
18 infrastructure maintenance, and other relevant monitoring  
19 procedures. The description shall contain an evaluation of the  
20 impact of any transfer of equipment on other intercity corridors.  
21 The agreement shall endeavor to minimize the impact and  
22 maximize the efficient use of the equipment, including continued  
23 joint use of equipment that is currently shared by one or more  
24 corridors.

25 (b) Use of the annual state funding allocation, as set forth in the  
26 interagency transfer agreement, shall be described in an annual  
27 business plan submitted by the board to the secretary for review  
28 and recommendation by April 1 of each year. The business plan,  
29 when approved by the secretary, shall be deemed accepted by the  
30 state. The budget proposal developed by the department for the  
31 subsequent year shall be based upon the business plan approved by  
32 the secretary. The business plan shall be consistent with the  
33 interagency agreement and shall include a report on the recent as  
34 well as historical performance of the corridor service, an overall  
35 operating plan including proposed service enhancement to  
36 increase ridership and provide for increased traveler demands in  
37 the corridor for the upcoming year, short-term and long-term  
38 capital improvement programs, funding requirements for the  
39 upcoming fiscal year, and an action plan with specific performance  
40 goals and objectives. The business plan shall document service

1 improvements to provide the planned level of service, inclusion of  
2 operating plans to serve peak period work trips, and consideration  
3 of other service expansions and enhancements. The plan shall  
4 clearly delineate how funding and accounting for state-sponsored  
5 rail passenger services shall be separate from locally sponsored  
6 services in the corridor. Proposals to expand or modify passenger  
7 services shall be accompanied by the identification of all  
8 associated costs and ridership projections. The business plan shall  
9 establish, among other things: fares, operating strategies, capital  
10 improvements needed, and marketing and operational strategies  
11 designed to meet performance standards established in the  
12 interagency agreement.

13 (c) Based on the annual business plan and the subsequent  
14 appropriation by the Legislature, the secretary shall allocate state  
15 funds on an annual basis to the board. As provided in the  
16 interagency agreement, any additional funds that are required to  
17 operate the passenger rail service during the fiscal year shall be  
18 provided by the board from jurisdictions that receive service. In  
19 addition, the board may use any cost savings or farebox revenues  
20 to provide service improvements related to intercity service. In any  
21 event, the board shall report the fiscal results of the previous year's  
22 operations as part of the annual business plan.

23 (d) The level of service funded by the state shall in no case be  
24 less than the current number of intercity round trips operated in a  
25 corridor and serving the end points currently served by the  
26 intercity rail corridor. Subject to Section 14035.2, the level of  
27 service funded by the state shall also include feeder bus service  
28 with substantially the same number of route miles as the current  
29 feeder system, to be operated in conjunction with the trains.

30 (e) Nothing in this article shall be construed to preclude  
31 expansion of state-approved intercity rail service.

32 ~~SEC. 5.~~

33 *SEC. 4.* Section 14076.4 of the Government Code is amended  
34 to read:

35 14076.4. If the board and the department enter into an  
36 interagency transfer agreement pursuant to Article 5  
37 (commencing with Section 14070), for an initial period, that  
38 begins with the transfer of responsibilities from the department to  
39 the board and continues for a three-year period subsequent to the  
40 completion of the track and signal improvements between

1 Sacramento and Emeryville, the San Francisco Bay Area Rapid  
2 Transit District General Manager and the district's administrative  
3 staff shall, if that district has appointed members to the board in  
4 accordance with Section 14076.2, provide all necessary  
5 administrative support to the board to perform its duties and  
6 responsibilities, and may perform for the board any and all  
7 activities that they are authorized to perform for the district. At the  
8 conclusion of the initial period, the board may, through procedures  
9 that it determines, select the San Francisco Bay Area Rapid Transit  
10 District or another existing public rail transit agency for one  
11 three-year term immediately following the initial period, and  
12 thereafter for five-year terms, to provide all necessary  
13 administrative support staff to the board to perform its duties and  
14 responsibilities.

15 ~~SEC. 6.~~

16 *SEC. 5.* Section 14524.15 of the Government Code is  
17 repealed.

18 ~~SEC. 7.~~

19 *SEC. 6.* Section 14524.2 of the Government Code is amended  
20 to read:

21 14524.2. (a) If the department's total project delivery plan  
22 for any year requires a permanent and temporary capital outlay  
23 support staffing level which equals the 1986–87 budgeted  
24 permanent and temporary capital outlay support staffing level, the  
25 department's budget request for that year shall contain a  
26 permanent and temporary capital outlay support staffing level  
27 equal to its 1986–87 authorized permanent and temporary capital  
28 outlay support staffing level.

29 (b) If the department's total project delivery plan for any year  
30 requires a permanent and temporary capital outlay support staffing  
31 level and personnel year equivalents for cash overtime and  
32 contract services which exceed the 1986–87 authorized permanent  
33 and temporary capital outlay support staffing level and personnel  
34 year equivalents for cash overtime and contract services, the  
35 department's budget request for that year shall contain a  
36 permanent and temporary capital outlay support staffing level and  
37 personnel year equivalents for cash overtime equal to the 1986–87  
38 authorized permanent and temporary capital outlay support  
39 staffing level and personnel year equivalents for cash overtime  
40 plus one-half of the excess over the 1986–87 authorized permanent

1 and temporary capital outlay support staffing level and personnel  
2 year equivalents for cash overtime and contract services. The  
3 department may contract out, pursuant to Section 14131, an equal  
4 number of personnel year equivalents for each authorized  
5 permanent and temporary capital outlay support staffing level and  
6 personnel year equivalents for cash overtime which exceed the  
7 1986–87 authorized permanent and temporary capital outlay  
8 support staffing level and personnel year equivalents for cash  
9 overtime.

10 (c) For purposes of this section, “permanent and temporary  
11 capital outlay support staffing level” means the department’s  
12 permanent and temporary capital outlay support staffing level  
13 funded by state and federal funds through the State Highway  
14 Account.

15 ~~SEC. 8.—Section 14525.5 of the Government Code is repealed.~~

16 ~~SEC. 9.~~

17 *SEC. 7.* Section 65082 of the Government Code is amended  
18 to read:

19 65082. (a) (1) A five-year regional transportation  
20 improvement program shall be prepared, adopted, and submitted  
21 to the California Transportation Commission on or before  
22 December 15 of each odd-numbered year thereafter, updated  
23 every two years, pursuant to Sections 65080 and 65080.5 and the  
24 guidelines adopted pursuant to Section 14530.1, to include  
25 regional transportation improvement projects and programs  
26 proposed to be funded, in whole or in part, in the state  
27 transportation improvement program.

28 (2) Major projects shall include current costs updated as of  
29 November 1 of the year of submittal and escalated to the  
30 appropriate year, and be listed by relative priority, taking into  
31 account need, delivery milestone dates, and the availability of  
32 funding.

33 (b) Except for those counties that do not prepare a congestion  
34 management program pursuant to Section 65088.3, congestion  
35 management programs adopted pursuant to Section 65089 shall be  
36 incorporated into the regional transportation improvement  
37 program submitted to the commission by December 15 of each  
38 odd-numbered year.

39 (c) Local projects not included in a congestion management  
40 program shall not be included in the regional transportation

1 improvement program. Projects and programs adopted pursuant to  
2 subdivision (a) shall be consistent with the capital improvement  
3 program adopted pursuant to paragraph (5) of subdivision (b) of  
4 Section 65089, and the guidelines adopted pursuant to Section  
5 14530.1.

6 (d) Other projects may be included in the regional  
7 transportation improvement program if listed separately.

8 (e) Unless a county not containing urbanized areas of over  
9 50,000 population notifies the Department of Transportation by  
10 July 1 that it intends to prepare a regional transportation  
11 improvement program for that county, the department shall, in  
12 consultation with the affected local agencies, prepare the program  
13 for all counties for which it prepares a regional transportation plan.

14 (f) The requirements for incorporating a congestion  
15 management program into a regional transportation improvement  
16 program specified in this section do not apply in those counties that  
17 do not prepare a congestion management program in accordance  
18 with Section 65088.3.

19 (g) The regional transportation improvement program may  
20 include a reserve of county shares for providing funds in order to  
21 match federal funds.

22 ~~SEC. 10.~~

23 *SEC. 8.* Chapter 3.5 (commencing with Section 21501) of  
24 Division 9 of the Public Utilities Code is repealed.

25 ~~SEC. 11.~~

26 *SEC. 9.* Section 21602 of the Public Utilities Code is amended  
27 to read:

28 21602. (a) Subject to the terms and within the limits of  
29 special appropriations made by the Legislature, the department  
30 may render financial assistance by grant or loan, or both, to  
31 political subdivisions jointly, in the planning, acquisition,  
32 construction, improvement, maintenance, or operation of an  
33 airport owned or controlled, or to be owned or controlled, by a  
34 political subdivision or subdivisions, if the financial assistance has  
35 been shown by public hearing to be appropriate to the proper  
36 development or maintenance of a statewide system of airports.  
37 Financial assistance may be furnished in connection with federal  
38 or other financial aid for the same purpose.

39 (b) Notwithstanding subdivision (a) of Section 21681, a city or  
40 county designated by the Airport Land Use Commission is eligible

1 to compete for funds held in the Aeronautics Account in the State  
2 Transportation Fund on behalf of any privately owned, public use  
3 airport that is included in an airport land use compatibility plan.  
4 However, the city or county shall be eligible to compete for the  
5 funds only when zoning on the parcel is tantamount to a taking of  
6 all reasonable uses that might otherwise be permitted on the parcel.  
7 The eligible airport and aviation purposes are limited to those  
8 specified in paragraphs (4), (5), (6), (9), and (14) of subdivision  
9 (f) of Section 21681, and, further, any capital improvements or  
10 acquisitions shall become the property of the designated city or  
11 county. Matching funds pursuant to subdivision (a) of Section  
12 21684 may include the in-kind contribution of real property, with  
13 the approval of the department.

14 (c) Any grant of funds held in the Aeronautics Account in the  
15 State Transportation Fund on behalf of any privately owned  
16 airports shall contain a covenant that the airport remain open for  
17 public use for 20 years. Any grant made to a city or county on  
18 behalf of a privately owned airport shall contain a payback  
19 provision based upon existing market value at the time the private  
20 airport ceases to be open for public use.

21 (d) Upon request, California Aid to Airports Program (CAAP)  
22 projects included within the adopted Aeronautics Program, may  
23 be funded in advance of the year programmed, with the  
24 concurrence of the department, in order to better utilize funds in  
25 the account.

26 (e) There is, in the Aeronautics Account in the State  
27 Transportation Fund, a subaccount for the management of funds  
28 for loans to local entities pursuant to this chapter. All funds for  
29 airport loans in the Special Deposit Fund are hereby transferred to  
30 the subaccount. With the approval of the Department of Finance,  
31 the department shall deposit in the subaccount all money received  
32 by the department from repayments of and interest on existing and  
33 future airport loans, including, but not limited to, the sums of five  
34 hundred forty thousand dollars (\$540,000) in repayments from the  
35 General Fund due in July 1987, and July 1988, and may, upon  
36 appropriation, transfer additional funds from the Aeronautics  
37 Account in the State Transportation Fund to the subaccount as the  
38 department deems appropriate. Interest on money in the  
39 subaccount shall be credited to the subaccount as it accrues.

(f) Notwithstanding Section 13340 of the Government Code, the money in the subaccount created by subdivision (e) is hereby continuously appropriated to the department without regard to fiscal years for purposes of loans to political subdivisions for airport purposes.

~~SEC. 12.~~

*SEC. 10.* Section 21604 of the Public Utilities Code is repealed.

~~SEC. 13.~~

*SEC. 11.* Section 21702 of the Public Utilities Code is amended to read:

21702. The California Aviation System Plan shall include, but not be limited to, all of the following elements:

(a) A background and introduction element, which summarizes aviation activity in California and establishes goals and objectives for aviation improvement.

(b) An air transportation issues element, which addresses issues such as aviation safety, airport noise, airport ground access, transportation systems management, airport financing, airport land use compatibility planning, and institutional relationships.

(c) A regional plan alternative element, which consists of the aviation elements of the regional transportation plans prepared by each transportation planning agency. This element shall include consideration of regional air transportation matters relating to growth, capacity needs, county activity, airport activity, and systemwide activity in order to evaluate adequately the overall impacts of regional activity in relation to the statewide air transportation system. This element shall propose general aviation and air carrier public use airports for consideration by the commission for funding eligibility under this chapter.

(d) A state plan alternative element, which includes consideration of statewide air transportation matters relating to growth, including, but not limited to, county activity, airport activity, and systemwide activity in order to evaluate adequately the state aviation system and to designate an adequate number of general aviation and air carrier public use airports for state funding in order to provide a level of air service and safety acceptable to the public.

(e) A comparative element, which compares and contrasts the regional plan alternative with the state plan alternative, including,

1 but not limited to, airport noise, air quality, toxic waste cleanup,  
2 energy, economics, and passengers served.

3 (f) A 10-year capital improvement plan for each airport, based  
4 on each airport's adopted master plan if the airport has a master  
5 plan, approved by the applicable transportation planning agency,  
6 and submitted to the division for inclusion in the California  
7 Aviation System Plan.

8 (g) Any other element deemed appropriate by the division and  
9 the transportation planning agencies.

10 (h) A summary and conclusion element, which presents the  
11 findings and recommended course of action.

12 ~~SEC. 14.~~

13 *SEC. 12.* Section 21704 of the Public Utilities Code is  
14 amended to read:

15 21704. The division, in consultation with the transportation  
16 planning agencies, shall biennially revise the capital improvement  
17 plan developed pursuant to subdivision (f) of Section 21702, and  
18 the division shall submit the revised capital improvement plan to  
19 the commission. The division, in consultation with the  
20 transportation planning agencies, shall revise all other elements of  
21 the California Aviation System Plan every five years, and shall  
22 submit the revised system plan to the commission.

23 ~~SEC. 15.~~

24 *SEC. 13.* Section 21707 of the Public Utilities Code is  
25 amended to read:

26 21707. Any funds necessary to carry out Sections 21701,  
27 21702, and 21704 shall be obtained from federal grants, except for  
28 updates of the capital improvement plan and policy elements of the  
29 California Aviation System Plan, which may be funded from  
30 nonfederal sources.

31 ~~SEC. 16.~~

32 *SEC. 14.* Section 102015 of the Public Utilities Code is  
33 amended to read:

34 102015. "City" means, individually, the Cities of Citrus  
35 Heights, Davis, Elk Grove, Folsom, Rancho Cordova, Roseville,  
36 Sacramento, and Woodland, and any other city which is annexed  
37 to the district as provided in this part.

38 ~~SEC. 17.~~

39 *SEC. 15.* Section 72.1 of the Streets and Highways Code is  
40 amended to read:

1 72.1. (a) For purposes of this section, the following terms  
2 have the following meanings:

3 (1) “Central Freeway Replacement Project” is the department  
4 and city designated alternative transportation system to the  
5 damaged Central Freeway.

6 (2) “City” is the City and County of San Francisco.

7 (3) “Freeway Project” includes demolition of the existing  
8 commonly known Central Freeway, construction of a new freeway  
9 between Mission Street and Market Street, and construction of  
10 ramps to, and from, the new freeway.

11 (4) “Octavia Street Project” is the improvement of Octavia  
12 Street from Market Street north as a ground level boulevard.

13 (b) The Legislature finds and declares all of the following:

14 (1) That portion of Route 101 located in the city and commonly  
15 known as the Central Freeway was severely damaged in the 1989  
16 Loma Prieta earthquake. This damage to the Central Freeway  
17 caused and continues to cause significant traffic congestion.

18 (2) Following the Loma Prieta earthquake, the department and  
19 the city, with substantial public involvement, selected the Central  
20 Freeway Replacement Project as an alternative transportation  
21 system to the damaged Central Freeway. The Central Freeway  
22 Replacement Project includes the Freeway Project consisting of  
23 the demolition of the existing Central Freeway, construction of a  
24 new freeway between Mission Street and Market Street, and the  
25 construction of ramps to, and from, the new freeway, and the  
26 Octavia Street Project, consisting of improvement of Octavia  
27 Street from Market Street north as a ground level boulevard. The  
28 Central Freeway Replacement Project will remediate traffic  
29 congestion problems and allow the city to reclaim unnecessary  
30 rights-of-way for beneficial public uses.

31 (3) The implementation of an alternative transportation system  
32 is in the best interests of the people of the State of California.

33 (4) No portions of Route 101 north of Fell Street and south of  
34 Turk Street are needed for the Central Freeway Replacement  
35 Project or for the proposed alternative project to be placed before  
36 the voters as Proposition J in the general municipal election of  
37 November 1999.

38 (c) (1) The Legislature recognizes that the Central Freeway  
39 Replacement Project adopted by the city’s voters, as local measure

1 Proposition E in November 1998 qualifies for the statutory  
2 exemption under Section 180.2.

3 (2) The Legislature further recognizes that the proposed  
4 alternative project included in Proposition J also qualifies for the  
5 statutory exemption under Section 180.2.

6 (3) Notwithstanding paragraph (1), any development of  
7 property transferred to the city pursuant to this section may, to the  
8 extent required by applicable law, require subsequent  
9 environmental analysis by the city at the time at which the specific  
10 proposals for the use of that property are developed.

11 (d) That portion of Route 101 between Market Street and Turk  
12 Street is not a state highway, except that if the proposed alternative  
13 to the Octavia Street Project is approved by the voters in the  
14 general municipal election of November 1999, only that portion  
15 of Route 101 between Fell Street and Turk Street is not a state  
16 highway.

17 (e) The department shall retain jurisdiction over the portion of  
18 Route 101 that is between Mission Street and either Market Street  
19 or Fell Street, depending on which project is approved by the  
20 voters in the general municipal election of November 1999, and  
21 shall promptly transfer to the city any portion of Route 101 that is  
22 not a state highway under subdivision (d).

23 (f) The following shall apply if the voters do not approve the  
24 alternative project in the general municipal election of November  
25 1999:

26 (1) The city shall utilize any proceeds from the disposition or  
27 use of excess rights-of-way for the purpose of designing,  
28 constructing, developing, and maintaining the Octavia Street  
29 Project until the city's share of the costs of that project are paid in  
30 full or funded from other sources. Upon the full funding of the  
31 city's share of the Octavia Street Project, the city shall utilize any  
32 remaining proceeds from the sale of excess rights-of-way solely  
33 for the transportation and related purposes authorized under  
34 Article XIX of the California Constitution.

35 (2) Upon notification to the department by the San Francisco  
36 County Transportation Authority that the city is prepared to  
37 implement an interim traffic management plan, the department  
38 shall proceed expeditiously with demolition of the portion of  
39 Route 101 between Fell and Mission Streets. The department shall  
40 design and construct the Freeway Project, and the city shall design

1 and construct the Octavia Street Project, and each project shall be  
2 consistent with the Central Freeway Replacement Project.

3 ~~SEC. 18.~~

4 *SEC. 16.* Section 164.6 of the Streets and Highways Code is  
5 amended to read:

6 164.6. (a) The department shall prepare a 10-year state  
7 rehabilitation plan for the rehabilitation and reconstruction, or the  
8 combination thereof, by the State Highway Operation and  
9 Protection Program, of all state highways and bridges owned by  
10 the state. The plan shall identify all rehabilitation needs for the  
11 10-year period beginning on July 1, 1998, and ending on June 30,  
12 2008, and shall include a schedule of improvements to complete  
13 all needed rehabilitation during the life of the plan not later than  
14 June 30, 2008. The plan shall be updated every two years  
15 beginning in 2000. The plan shall include specific milestones and  
16 quantifiable accomplishments, such as miles of highways to be  
17 repaved and number of bridges to be retrofitted. The plan shall  
18 contain strategies to control cost and improve the efficiency of the  
19 program, and include a cost estimate for at least the first five years  
20 of the program.

21 (b) The plan shall be submitted to the commission for review  
22 and comments not later than January 31 of each odd-numbered  
23 year, and shall be transmitted to the Governor and the Legislature  
24 not later than May 1 of each odd-numbered year.

25 (c) The plan shall be the basis for the department's budget  
26 request and for the adoption of fund estimates pursuant to Section  
27 163.

28 ~~SEC. 19.~~

29 *SEC. 17.* Section 180.10 of the Streets and Highways Code is  
30 repealed.

31 ~~SEC. 20.~~

32 *SEC. 18.* Section 188.5 of the Streets and Highways Code is  
33 amended to read:

34 188.5. (a) The Legislature finds and declares all of the  
35 following:

36 (1) The department has determined that in order to provide  
37 maximum safety for the traveling public and to ensure continuous  
38 and unimpeded operation of the state's transportation network, six  
39 state-owned toll bridges are in need of a seismic safety retrofit, and

one state-owned toll bridge is in need of a partial retrofit and a partial replacement.

(2) The bridges identified by the department as needing seismic retrofit are the Benicia-Martinez Bridge, the Carquinez Bridge, the Richmond-San Rafael Bridge, the San Mateo-Hayward Bridge, the San Pedro-Terminal Island Bridge (also known as the Vincent Thomas Bridge), the San Diego-Coronado Bridge, and the west span of the San Francisco-Oakland Bay Bridge. The department has also identified the east span of the San Francisco-Oakland Bay Bridge as needing to be replaced. That replacement span will be safer, stronger, longer lasting, and more cost efficient to maintain than completing a seismic retrofit for the current east span.

(3) The south span of the Carquinez Bridge is to be replaced pursuant to Regional Measure 1, as described in subdivision (b) of Section 30917.

(4) The cost estimate to retrofit the state-owned toll bridges and to replace the east span of the San Francisco-Oakland Bay Bridge is four billion six hundred thirty-seven million dollars (\$4,637,000,000), as follows:

(A) The Benicia-Martinez Bridge retrofit is one hundred ninety million dollars (\$190,000,000).

(B) The north span of the Carquinez Bridge retrofit is one hundred twenty-five million dollars (\$125,000,000).

(C) The Richmond-San Rafael Bridge retrofit is six hundred sixty-five million dollars (\$665,000,000).

(D) The San Mateo-Hayward Bridge retrofit is one hundred ninety million dollars (\$190,000,000).

(E) The San Pedro-Terminal Island Bridge retrofit is sixty-two million dollars (\$62,000,000).

(F) The San Diego-Coronado Bridge retrofit is one hundred five million dollars (\$105,000,000).

(G) The west span of the San Francisco-Oakland Bay Bridge retrofit, as a lifeline bridge, is seven hundred million dollars (\$700,000,000).

(H) Replacement of the east span of the San Francisco-Oakland Bay Bridge is two billion six hundred million dollars (\$2,600,000,000).

(b) It is the intent of the Legislature that the following amounts from the following funds shall be allocated until expended, for the seismic retrofit or replacement of state-owned toll bridges:

1 (1) Six hundred fifty million dollars (\$650,000,000) from the  
2 1996 Seismic Retrofit Account in the Seismic Retrofit Bond Fund  
3 of 1996 for the seven state-owned toll bridges identified by the  
4 department as requiring seismic safety retrofit or replacement.

5 (2) One hundred forty million dollars (\$140,000,000) in  
6 surplus revenues generated under the Seismic Retrofit Bond Act  
7 of 1996 that are in excess of the amount actually necessary to  
8 complete Phase Two of the state's seismic retrofit program. These  
9 excess funds shall be reallocated to assist in financing seismic  
10 retrofit of the state-owned toll bridges.

11 (3) Fifteen million dollars (\$15,000,000) from the Vincent  
12 Thomas Toll Bridge Revenue Account.

13 (4) The funds necessary to meet both of the following:

14 (A) A principal obligation of two billion two hundred  
15 eighty-two million dollars (\$2,282,000,000) from the seismic  
16 retrofit surcharge, including any interest therefrom, imposed  
17 pursuant to Section 31010, subject to the limitation set forth in  
18 subdivision (c) and subdivision (b) of Section 31010.

19 (B) All costs of financing, including capitalized interest,  
20 reserves, costs of issuance, costs of credit enhancements and any  
21 other financial products necessary or desirable in connection  
22 therewith, and any other costs related to financing.

23 (5) Thirty-three million dollars (\$33,000,000) from the San  
24 Diego-Coronado Toll Bridge Revenue Fund.

25 (6) Not less than seven hundred forty-five million dollars  
26 (\$745,000,000) from the State Highway Account to be used  
27 toward the eight hundred seventy-five million dollars  
28 (\$875,000,000) state contribution, to be achieved as follows:

29 (A) (i) Two hundred million dollars (\$200,000,000) to be  
30 appropriated for the state-local transportation partnership program  
31 described in paragraph (7) of subdivision (d) of Section 164 for the  
32 1998–99 fiscal year.

33 (ii) The remaining funds intended for that program and any  
34 program savings to be made available for toll bridge seismic  
35 retrofit.

36 (B) A reduction of not more than seventy-five million dollars  
37 (\$75,000,000) in the funding level specified in paragraph (4) of  
38 subdivision (d) of Section 164 for traffic system management.

1 (C) Three hundred million dollars (\$300,000,000) in  
2 accumulated savings by the department achieved from better  
3 efficiency and lower costs.

4 (7) Not more than one hundred thirty million dollars  
5 (\$130,000,000) from the Transit Capital Improvement Program  
6 funded by the Public Transportation Account in the State  
7 Transportation Fund to be used toward the eight hundred  
8 seventy-five million dollars (\$875,000,000) state contribution. If  
9 the contribution in subparagraph (A) of paragraph (6) exceeds  
10 three hundred seventy million dollars (\$370,000,000), it is the  
11 intent that the amount from the Transit Capital Improvement  
12 Program shall be reduced by an amount that is equal to that excess.

13 (8) (A) The funds necessary to meet principal obligations of  
14 not less than six hundred forty-two million dollars (\$642,000,000)  
15 from the state's share of the federal Highway Bridge Replacement  
16 and Rehabilitation (HBRR) Program.

17 (B) If the project costs exceed four billion six hundred  
18 thirty-seven million dollars (\$4,637,000,000), the department  
19 may program not more than four hundred forty-eight million  
20 dollars (\$448,000,000) in project savings or other available  
21 resources from the Interregional Transportation Improvement  
22 Program, the State Highway Operation and Protection Program,  
23 or federal bridge funds for that purpose.

24 (C) None of the funds identified in subparagraph (B) may be  
25 expended for any purpose other than the conditions and design  
26 features described in paragraph (9).

27 (9) The estimated cost of replacing the San Francisco-Oakland  
28 Bay Bridge listed in subparagraph (H) of paragraph (4) of  
29 subdivision (a) is based on the following conditions:

30 (A) The new bridge shall be located north adjacent to the  
31 existing bridge and shall be the Replacement Alternative N-6  
32 (preferred) Suspension Structure Variation, as specified in the  
33 Final Environmental Impact Statement, dated May 1, 2001,  
34 submitted by the department to the Federal Highway  
35 Administration.

36 (B) The main span of the bridge shall be in the form of a single  
37 tower cable suspension design and shall be the Replacement  
38 Alternative N-6 (preferred) Suspension Structure Variation, as  
39 specified in the Final Environmental Impact Statement, dated May

1 1, 2001, submitted by the department to the Federal Highway  
2 Administration.

3 (C) The roadway in each direction shall consist of five lanes,  
4 each lane will be 12 feet wide, and there shall be 10-foot shoulders  
5 as an emergency lane for public safety purposes on each side of the  
6 main-traveled way.

7 (c) If the actual cost of retrofit or replacement, or both retrofit  
8 and replacement, of toll bridges is less than the cost estimate of  
9 four billion six hundred thirty-seven million dollars  
10 (\$4,637,000,000), there shall be a reduction in the amount  
11 provided in paragraph (4) of subdivision (b) equal to the  
12 proportion of total funds committed to complete the projects  
13 funded from funds generated from paragraph (4) of subdivision  
14 (b) as compared to the total funds from paragraphs (6), (7), and (8)  
15 of subdivision (b), and there shall be a proportional reduction in  
16 the amount specified in paragraph (8) of subdivision (b).

17 (d) If the department determines that the actual costs exceed the  
18 amounts identified in subparagraph (B) of paragraph (8) of  
19 subdivision (b), the department shall report to the Legislature  
20 within 90 days from the date of that determination as to the  
21 difference and the reason for the increase in costs.

22 (e) Notwithstanding any other provision of law, the  
23 commission shall adopt fund estimates consistent with subdivision  
24 (b) and provide flexibility so that state funds can be made available  
25 to match federal funds made available to regional transportation  
26 planning agencies.

27 (f) For the purposes of this section, “principal obligations” are  
28 the amount of funds generated, either in cash, obligation authority,  
29 or the proceeds of a bond or other indebtedness.

30 (g) (1) Commencing January 1, 2004, and quarterly thereafter  
31 until completion of all applicable projects, the department shall  
32 provide quarterly seismic reports to the transportation committees  
33 of both houses of the Legislature and to the commission for each  
34 of the toll bridge seismic retrofit projects in subdivision (a).

35 (2) The report shall include details of each toll bridge seismic  
36 retrofit project and all information necessary to clearly describe  
37 the status of the project, including, but not limited to, all of the  
38 following:

39 (A) A progress report.

(B) The baseline budget for support and capital outlay construction costs that the department assumed at the time that Chapter 907 of the Statutes of 2001 was enacted.

(C) The current or projected budget for support and capital outlay construction costs.

(D) Expenditures to date for support and capital outlay construction costs.

(E) A comparison of the current or projected schedule and the baseline schedule that was assumed at the time that Chapter 907 of the Statutes of 2001 was enacted.

(F) A summary of milestones achieved during the quarterly period and any issues identified and actions taken to address those issues.

(h) (1) Commencing on January 1, 2004, and quarterly thereafter until completion of all applicable projects, the department shall provide quarterly seismic reports to the transportation committees of both houses of the Legislature and to the commission for other seismic retrofit programs.

(2) The reports shall include all of the following:

(A) A progress report for each program.

(B) The program baseline budget for support and capital outlay construction costs.

(C) The current or projected program budget for support and capital outlay construction costs.

(D) Expenditures to date for support and capital outlay construction costs.

(E) A comparison of the current or projected schedule and the baseline schedule.

(F) A summary of milestones achieved during the quarterly period and any issues identified and actions taken to address those issues.

~~SEC. 21. Section 302 of the Streets and Highways Code is amended to read:~~

~~302. (a) Route 2 is from:~~

~~(1) The point where Santa Monica Boulevard crosses the city limits of Santa Monica at Centinela Avenue to Route 101 in Los Angeles, except the relinquished portions described in subdivision (b).~~

~~(2) Route 101 in Los Angeles to Route 210 in La Canada Flintridge via Glendale.~~

~~(3) Route 210 in La Canada-Flintridge to Route 138 via Wrightwood.~~

~~(b) Notwithstanding subdivision (a), the relinquished former portions of Route 2 within the city limits of West Hollywood and Santa Monica, and between Route 405 and Moreno Drive in Los Angeles, are not a state highway and are not eligible for adoption under Section 81. Those cities shall maintain signs within their respective jurisdictions directing motorists to the continuation of Route 2.~~

~~SEC. 22.~~

*SEC. 19.* Section 339 of the Streets and Highways Code is amended to read:

339. Route 39 is from:

(a) Route 1 near Huntington Beach to Route 72 in La Habra via Beach Boulevard.

(b) Beach Boulevard to Harbor Boulevard in La Habra via Whittier Boulevard.

(c) Whittier Boulevard in La Habra to Route 2 via Harbor Boulevard to the vicinity of Fullerton Road, then to Azusa Avenue, Azusa Avenue to San Gabriel Canyon Road, San Gabriel Avenue southbound between Azusa Avenue and San Gabriel Canyon Road, and San Gabriel Canyon Road, other than the portion of the segment described by this subdivision that is within the city limits of Azusa and Covina.

The relinquished former portions of Route 39 within the city limits of Azusa and Covina are not a state highway and are not eligible for adoption under Section 81.

~~SEC. 23.~~

*SEC. 20.* Section 354 of the Streets and Highways Code is amended to read:

354. (a) Route 54 is from Route 5 near the Sweetwater River to the southern city limits of El Cajon.

(b) The relinquished former portion of Route 54 within the City of El Cajon is not a state highway and is not eligible for adoption under Section 81.

(c) The City of El Cajon may not impose any special restriction on the operation of buses or commercial motor vehicles, as defined in paragraph (1) of subdivision (c) of Section 34601 of the Vehicle Code, on the relinquished former portion of Route 54 if that

1 restriction is in addition to restrictions authorized under other  
2 provisions of law.

3 ~~SEC. 24.~~

4 *SEC. 21.* Section 373 of the Streets and Highways Code is  
5 amended to read:

6 373. Route 73 is from Route 5 near San Juan Capistrano to  
7 Route 405 via the San Joaquin Hills.

8 ~~SEC. 25.~~

9 *SEC. 22.* Section 390 of the Streets and Highways Code is  
10 amended to read:

11 390. (a) Route 90 is from Route 1 northwest of the Los  
12 Angeles International Airport to Route 91 in Santa Ana Canyon  
13 passing near La Habra, except for the portion within the city limits  
14 of Yorba Linda.

15 (b) The relinquished former portion of Route 90 within the City  
16 of Yorba Linda is not a state highway and is not eligible for  
17 adoption under Section 81.

18 (c) The City of Yorba Linda shall ensure the continuity of  
19 traffic flow on the relinquished former portion of Route 90,  
20 including any traffic signal progression.

21 (d) For the relinquished former portion of Route 90, the City of  
22 Yorba Linda shall maintain signs directing motorists to the  
23 continuation of Route 90.

24 ~~SEC. 26.~~

25 *SEC. 23.* Section 391 of the Streets and Highways Code is  
26 amended to read:

27 391. Route 91 is from:

28 (a) Vermont Avenue at the eastern city limits of Gardena to  
29 Route 215 in Riverside via Santa Ana Canyon.

30 (b) The relinquished former portions of Route 91 in the Cities  
31 of Gardena, Torrance, Lawndale, Redondo Beach, Manhattan  
32 Beach, and Hermosa Beach are not a state highway and are not  
33 eligible for adoption under Section 81.

34 ~~SEC. 27.~~

35 *SEC. 24.* Section 391.1 of the Streets and Highways Code is  
36 repealed.

37 ~~SEC. 28.~~

38 *SEC. 25.* Section 391.3 of the Streets and Highways Code, as  
39 added by Section 22 of Chapter 724 of the Statutes of 1999, is  
40 repealed.

1     ~~SEC. 29.~~

2     *SEC. 26.* Section 391.3 of the Streets and Highways Code, as  
3 added by Section 12.5 of Chapter 1007 of the Statutes of 1999, is  
4 repealed.

5     ~~SEC. 30.~~

6     *SEC. 27.* Section 401.1 of the Streets and Highways Code is  
7 repealed.

8     ~~SEC. 31.~~

9     *SEC. 28.* Section 407 of the Streets and Highways Code is  
10 amended to read:

11     407. (a) Route 107 is from Route 1 in Torrance to the  
12 southern city limits of Lawndale.

13     (b) The relinquished former portion of Route 107 in the City of  
14 Lawndale is not a state highway and is not eligible for adoption  
15 under Section 81.

16     ~~SEC. 32.~~

17     *SEC. 29.* Section 407.1 of the Streets and Highways Code is  
18 repealed.

19     ~~SEC. 33.~~

20     *SEC. 30.* Section 410 of the Streets and Highways Code is  
21 amended to read:

22     410. (a) Route 110 is from Route 47 in San Pedro to Glenarm  
23 Street in Pasadena.

24     (b) The relinquished former portion of Route 110 that is located  
25 between Glenarm Street and Colorado Boulevard in Pasadena is  
26 not a state highway and is not eligible for adoption under Section  
27 81.

28     ~~SEC. 34.~~

29     *SEC. 31.* Section 411 of the Streets and Highways Code is  
30 amended to read:

31     411. Route 111 is from:

32     (a) The international border south of Calexico to Route 78 near  
33 Brawley, passing east of Heber.

34     (b) Route 78 near Brawley to Route 86 via the north shore of  
35 the Salton Sea.

36     (c) Route 10 near Indio to the southeastern city limits of  
37 Rancho Mirage.

38     (d) The western city limits of Cathedral City to Route 10 near  
39 Whitewater.



1 The relinquished former portions of Route 111 within the Cities  
2 of Cathedral City and Rancho Mirage are not a state highway and  
3 are not eligible for adoption under Section 81.

4 ~~SEC. 35.~~

5 *SEC. 32.* Section 411.5 of the Streets and Highways Code is  
6 repealed.

7 ~~SEC. 36.~~

8 *SEC. 33.* Section 426 of the Streets and Highways Code is  
9 amended to read:

10 426. (a) Route 126 is from Route 101 near Ventura to Route  
11 5.

12 (b) Route 126 shall be known and designated as the “Santa  
13 Paula Freeway.”

14 (c) The relinquished former portion of Route 126 within the  
15 City of Santa Clarita is not a state highway and is not eligible for  
16 adoption under Section 81.

17 ~~SEC. 37.~~

18 *SEC. 34.* Section 460 of the Streets and Highways Code is  
19 amended to read:

20 460. (a) Route 160 is from Route 4 near Antioch to the  
21 southern city limits of Sacramento.

22 (b) The relinquished former portion of Route 160 within the  
23 City of Sacramento is not a state highway and is not eligible for  
24 adoption under Section 81.

25 ~~SEC. 38.~~

26 *SEC. 35.* Section 509 of the Streets and Highways Code is  
27 repealed.

28 ~~SEC. 39.~~

29 *SEC. 36.* Section 820 of the Streets and Highways Code is  
30 amended to read:

31 820. The State of California assents to the provisions of Title  
32 23 of the United States Code, as amended and supplemented, other  
33 acts of Congress relative to federal aid, or other cooperative  
34 highway work, or to emergency construction of public highways  
35 with funds apportioned by the government of the United States.  
36 All work done under the provisions of Title 23 or other acts of  
37 Congress relative to highways shall be performed as required  
38 under acts of Congress and the rules and regulations promulgated  
39 thereunder. Laws, or rules and regulations, of this state  
40 inconsistent with the laws, or rules and regulations, of the United

- 1 States, shall not apply to that work, to the extent of the
- 2 inconsistency.

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